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S E C R E T SECTION 01 OF 02 RIGA 000741

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SUBJECT: FURTHER WORRYING STEPS ON RULE OF LAW IN LATVIA

REF: A) TD-314/66500-07 B) RIGA 731

Classified By: Pol/Econ Chief Tamir G. Waser. Reason: 1.4 (D)

¶1. (S/NF) Summary: Additional developments on rule of law in Latvia only add to our concern. Late September 28, we became worried that there was a move afoot within the Latvian government to sack prosecutor General Maizitis. We strongly warned senior levels of the GOL against such a move, noting that in the context of other recent developments, it would have serious, negative consequences for the Latvian-U.S. relationship. We are also stepping up our anti-corruption message to the opposition, while noting that they have plenty of skeletons in their own closets to deal with. At a meeting of foreign diplomats with the anti-corruption bureau, we voiced our strong support for the organization's work. Not surprisingly, EU embassies share our concerns but feel unable to engage. It is important that Latvia hear the message in Washington soon that they are headed down the wrong path on rule of law and transparency. End summary.

¶2. (S/NF) Late in the afternoon of September 28, we received information that there might be a move within the GOL to sack Prosecutor General Janis Maizitis and, also, possibly Intelligence chief Janis Kazocins (ref A). Embassy leadership met and discussed in the context of recent events (ref B) as well as statements from PM Kalvitis on the 28th that there was a criminal group with links to former Russian/Soviet security agents that posed a grave threat to Latvia. We feared that revelation of this allegedly grave threat, which no GOL official had mentioned to any USG rep in recent days, was going to be used as a reason for Maizitis' dismissal. (Note: Under the law, failure to prosecute crimes that leads to harm to the Latvian state is grounds for dismissing the prosecutor. End note.)

¶3. (C/NF) Ambassador Bailey called Interior Minister Godmanis September 28 and expressed our concern at the revelations. If there are indeed grave threats to Latvian security, please let us know how we can help, she told the minister. Godmanis said he would consider it, but did not go into detail on the allegations or the nature of the threat. The Ambassador reinforced the point that Latvia should not overreact and the minister seemed to understand the point. Attempts by Charge to follow up with Godmanis on October 1 were rebuffed and Ambassador Bailey will see him on October 4. A National Security Council Meeting to discuss the issue is scheduled for October 3

¶4. (C/NF) Pol/econ chief met with Peteris Ustubs, foreign policy advisor to PM Kalvitis, at the same time. Pol/econ chief delivered a blunt message. A year ago we assessed a "road map" to how Latvia's oligarchs might use their political influence to undermine rule of law. The government seemed to be following that with its attempts to stack the courts, to amend the laws governing the security services, and the suspension of the anti-corruption chief. It seemed to us, pol/econ chief said, that the next step would be

dismissing the prosecutor and, if that happened, it would have serious and negative consequences for the bilateral relationship. The relationship is based on shared values, but if Latvia no longer shares those values, the United States would need to reassess. Pol/econ chief noted that PM Kalvitis' planned early-November trip to Washington would likely be the first visible casualty of this.

¶ 15. (C/NF) Ustubs took careful notes and pledged to brief the PM (who was out of Riga for the weekend) at the earliest opportunity. (Note: As of COB October 2, we have had no response from the PM, although Ustubs confirmed the message was delivered. End note.) Ustubs said that the information he had seen on the alleged criminal group was serious, connected to narcotics trafficking, and was credible enough that personal protection had been increased for both the PM and Godmanis, as well as other officials. Ustubs claimed that information had only recently come to light in the course of the investigation of a member of the security services and it seemed others in the security services were involved. Pol/econ chief noted that DEA has a very good relationship with Latvia and that if there is a serious threat based on narcotics related groups, we would be happy to provide any and all assistance.

¶ 16. (C/NF) We are also engaging with opposition political parties to express our concerns on developments in Latvia and to lay down our markers on ensuring that the rule of law is protected. Lest they believe that we are somehow showing them any favoritism, though, we are mixing the message with a reminder that they have plenty of transparency problems of their own and that the United States government is not standing in opposition to certain individuals but in support of a standard of behavior on rule of law that we expect all

RIGA 00000741 002 OF 002

political actors in Latvia to uphold.

¶ 17. (C/NF) At a meeting of foreign Ambassadors with anti-corruption bureau (KNAB) on October 1, Charge delivered a strong message of support for the work of the KNAB. At the meeting, EU reps noted their agreement with our concerns but also said they are unable to engage. As the Dutch Ambassador said, "We can tell candidate states what to do, but once you are in the EU, other member states will not openly criticize you."

¶ 18. (S/NF) Comment: The PM's announcement of the allegedly grave threat to Latvia struck us as an attempt to deflect attention from recent events and the sensitive reporting cited above only added to our skepticism. That said, if there is a serious threat to Latvia, we have made clear our willingness as a friend and ally to provide any needed investigative assistance. The lack of a response to this offer or to our strong message to the PM's office is also worrying. We suspect that the government is considering how to react and how serious we are. Given that the EU member states will not engage on this, we believe it is important that Washington express to Latvian Ambassador Pildegovics our concern over this pattern of activity in Latvia. Hearing the message from Washington will help ensure the government gets the message.
SELDOWITZ